

House File 87

HOUSE FILE \_\_\_\_\_  
BY R. OLSON

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to the revocation of a person's driver's license  
2 or nonresident operating privilege for a defendant who has had  
3 a previous conviction or revocation.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 1567HH 82  
6 rh/gg/14

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1 1 Section 1. Section 321J.4, subsection 2, Code 2007, is  
1 2 amended to read as follows:  
1 3 2. If a defendant is convicted of a violation of section  
1 4 321J.2, and the defendant's driver's license or nonresident  
1 5 operating privilege has not already been revoked under section  
1 6 321J.9 or 321J.12 for the occurrence from which the arrest  
1 7 arose, the department shall revoke the defendant's driver's  
1 8 license or nonresident operating privilege for ~~two years~~ one  
1 9 year if the defendant has had a previous conviction or  
1 10 revocation under this chapter and submitted to chemical  
1 11 testing, but for two years if the defendant refused to submit  
1 12 to chemical testing. The defendant shall not be eligible for  
1 13 any temporary restricted license for one year after the  
1 14 effective date of revocation. The defendant shall be ordered  
1 15 to install an ignition interlock device of a type approved by  
1 16 the commissioner of public safety on all vehicles owned by the  
1 17 defendant if the defendant seeks a temporary restricted  
1 18 license at the end of the minimum period of ineligibility. A  
1 19 temporary restricted license shall not be granted by the  
1 20 department until the defendant installs the ignition interlock  
1 21 device.

EXPLANATION

1 22  
1 23 This bill amends Code section 321J.4, relating to the  
1 24 revocation of a defendant's driver's license or nonresident  
1 25 operating privilege where the defendant has had a previous  
1 26 operating=while=intoxicated conviction or revocation under  
1 27 Code chapter 321J. The bill specifies that a defendant who  
1 28 has had such a previous conviction or revocation who submitted  
1 29 to chemical testing shall be subject to a one-year driver's  
1 30 license or nonresident operating privilege revocation period.  
1 31 However, if the defendant refused to submit to chemical  
1 32 testing, the defendant shall be subject to a two-year  
1 33 revocation period. This change is consistent with the  
1 34 revocation periods contained in Code sections 321J.9 and  
1 35 321J.12.  
2 1 LSB 1567HH 82  
2 2 rh:nh/gg/14